

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KIRK D. ROBINSON,

Plaintiff,

vs.

RYAN CARSON, District Judge, et  
al.,

Defendants.

8:23-CV-137

MEMORANDUM AND ORDER

This matter is before the Court on the plaintiff's Motion for a Change of Venue. [Filing 25](#). The plaintiff asks that this "case be moved to a completely different circuit altogether" as "this is the only way to ensure . . . that he gets a fair, unbiased and impartial hearing in a court of law." [Filing 25](#). As grounds for his motion, the plaintiff points to an action currently pending in which he has sued Inactive Senior Judge Richard Kopf and Senior Judge Joseph Bataillon of this Court.

Venue is generally governed by [28 U.S.C. § 1391](#), which "govern[s] the venue of all civil actions brought in district courts of the United States" and provides, in pertinent part, that:

(b) Venue in general.—A civil action may be brought in—

- (1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located;
- (2) a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred, or a

substantial part of property that is the subject of the action is situated; or

(3) if there is no district in which an action may otherwise be brought as provided in this section, any judicial district in which any defendant is subject to the court's personal jurisdiction with respect to such action.

[28 U.S.C. § 1391\(b\)](#).

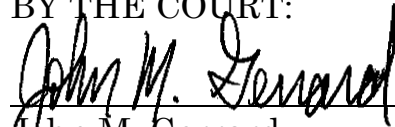
In this matter venue is clearly proper in the District of Nebraska as all named defendants appear to reside in this district, and the events that are the subject of the Amended Complaint occurred here. See [filing 18](#). Thus, the plaintiff has not demonstrated that a change in venue is appropriate.

To the extent the plaintiff's motion seeks to have his case considered by a different judge other than Judge Bataillon, such request is now moot as Judge Bataillon recused himself from this matter, as well as all of the plaintiff's pending cases. See [filing 26](#). This matter has been reassigned to the undersigned and will progress accordingly.

IT IS ORDERED that the plaintiff's Motion for a Change of Venue ([filing 25](#)) is denied.

Dated this 19th day of December, 2023.

BY THE COURT:

  
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John M. Gerrard  
Senior United States District Judge